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Attorney for Defendant: MAGDALENA MAULEON

**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF CALIFORNIA**

(Hon. Roger T. Benitez)

UNITED STATES OF AMERICA,

Plaintiff,

vs.

GUILLERMO BARRETO-ORTIZ (1),  
MAGDALENA MAULEON (2),

Defendant.

) Criminal Case No.: 07CR2882-BEN

) Magistrate Case No.: 07CR1749-AJB

) **NOTICE OF MOTION AND MOTION**  
) **FOR**

) **1) PRESERVATION OF EVIDENCE;**

) **2) MOTION FOR DISCOVERY;**

) **3) SEVERANCE OF DEFENDANTS;**

) **4) SUPPRESSION OF STATEMENTS;**

) **5) FILE ADDITIONAL MOTIONS;**

) **6) JOINDER**

Date: December 3, 2007

Time: 2:00 p.m.

Judge: Hon. J. Benitez

**TO UNITED STATES ATTORNEY KAREN P. HEWITT, ASSISTANT UNITED**  
**STATES ATTORNEY JOSEPH ORABONA:**

NOTICE IS HEREBY GIVEN that on December 3, 2007, at 2:00 p.m., or as soon  
thereafter as the matter may be heard, in the courtroom of Honorable Judge Hon. Roger T.  
Benitez of this court, located at 940 Front Street, San Diego, California, 92101, Defendant,  
Magdalena Mauleon, by and through his attorney of record, Robert E. Schroth Sr, will move the  
court for an Order granting the following motions: 1) to compel and preserve evidence; and 2)

1 motion for discovery; and 3) severance of defendants and 4) suppression of statements and 5)  
2 leave to file additional motions and 6) a joinder.

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5 **MOTION**

6 The defendant Magdalena Mauleon, by and through her counsel, Robert E. Schroth, Sr.,  
7 pursuant to United States Constitution, Fed. R. Crim. Proc., Rules 8 and 14, and applicable case  
8 law and local rules, moves this Court for an Order: 1) to compel and preserve evidence; and 2)  
9 motion for discovery; and 3) severance of defendants and 4) suppression of statements and 5)  
10 leave to file additional motions and 6) a joinder.

11 These motions are based upon the instant Motions and Notice of Motions, the attached  
12 Statements of Facts and Memorandum of Points and Authorities, the files and records in the  
13 above-captioned matter, and any and all other materials which may be brought to this Court\*s  
14 attention prior to or during the hearing on these motions.

15 Respectfully Submitted this 19<sup>th</sup> day of  
16 November, 2007.

17 **SCHROTH & SCHROTH**

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19 By: s/ Robert Schroth Sr.  
20 **ROBERT E. SCHROTH, Sr.**  
21 Attorney for Defendant  
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NOTICE OF MOTION AND MOTION FOR DISCOVERY

U. S. v. BARRETO et. al.

